

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1024 be amended to read as follows:

1           Page 1, after line 10, begin a new paragraph and insert:  
2           "SECTION 2. IC 6-3.1-11-21 IS AMENDED TO READ AS  
3           FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 21. (a) A taxpayer is not  
4           entitled to claim the credit provided by this chapter to the extent that it  
5           substantially reduces or ceases its operations in Indiana in order to  
6           relocate them within the industrial recovery site. A determination that a  
7           taxpayer is not entitled to the credit provided by this chapter as a result  
8           of a substantial reduction or cessation of operations shall apply to  
9           credits that would otherwise arise in the taxable year in which the  
10          substantial reduction or cessation occurs and in all subsequent years.  
11          Determinations under this section shall be made by the board.

12          **(b) This subsection applies only to a taxpayer that makes a**  
13          **qualified investment for rehabilitation of property located in an**  
14          **industrial recovery site containing a vacant industrial facility that**  
15          **has at least two hundred fifty thousand (250,000) square feet of**  
16          **floor space but less than three hundred thousand (300,000) square**  
17          **feet of floor space. A taxpayer subject to this subsection is not**  
18          **entitled to claim the credit provided by this chapter unless the**  
19          **taxpayer does all the following:**

20               **(1) Pays, for each class of work described in IC 5-16-7-1(c)**  
21               **that is performed as part of the rehabilitation, repair, or**  
22               **retrofitting of the property in the industrial recovery site, a**

1           scale of wages that is not less than the common construction  
2           wage (as defined in IC 5-16-7-4) for the county in which the  
3           industrial recovery site is located.

4           (2) As part of the application process under this chapter,  
5           agrees to pay each year to workers employed by the taxpayer  
6           within the industrial recovery site annual compensation  
7           (including benefits) that exceeds by at least ten percent  
8           (10%) the average compensation paid by all employers  
9           during the year to all employees in the county in which the  
10          industrial recovery site is located.

11        **A determination that a taxpayer is not entitled to the credit**  
12        **provided by this chapter as a result of not meeting a condition of**  
13        **this subsection shall be made by the board."**

14        Renumber all SECTIONS consecutively.

(Reference is to HB 1024 as printed January 16, 2004.)

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Representative Liggett